

### **Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A method for updating software for use in operation of a receiver device, said receiver device including a loader, the method comprising the steps of:

implementing a plurality of first and second modes on a the receiver device (50) such that at least a first mode is a normal operating mode for the set top receiver device and a second mode (10) is a standby mode;

controlling the receiver device such that the receiver device loader in one of the standby mode or normal operating mode searches for software updates; updates, searching (16) for software updates with at least one of the modes; indicating indicates (44) to one the other of the modes within the receiver device an occurrence on occurrences of an available software update, transfers updates; transferring (28) the available software update updates to the receiver device, device; and stores the same in memory; and

installing (22) the transferred software update updates into the programmable receiver device when the receiver device is changed into the other of the standby or normal operating mode.

2. (Cancelled)

3. (Currently Amended) The method of claim 2 1 wherein the steps of searching (16) and transferring (28) are done in the standby mode.

4. (Currently Amended) The method of claim 2 1 wherein the steps of searching (16) and transferring (28) are done in the normal operating operational mode.

5-18. (Cancelled)

19. (New) A method according to claim 1 wherein the software update is initially installed into a volatile memory in the receiver device and then subsequently transferred into a non-volatile memory.

20. (New) A method according to claim 1 wherein the standby mode does not function simultaneously with the normal operating mode.

21. (New) A method according to claim 19 wherein the software update is placed into the volatile memory in standby mode and the receiver device places the software update into the non volatile memory after re-entering the normal operating mode.